

NOT TO BE PUBLISHED

California Rules of Court, rule 977(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 977(b). This opinion has not been certified for publication or ordered published for purposes of rule 977.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(San Joaquin)

THE PEOPLE,

Plaintiff and Respondent,

v.

DEMETRIUS MYERS,

Defendant and Appellant.

C046746

(Super. Ct. No.
SF090384A)

Defendant entered a plea of guilty to cultivation of marijuana (Health & Saf. Code, § 11358) in exchange for an agreed lower term of 16 months in state prison to be served concurrently with any parole violation. Sentenced in accordance with the plea, defendant appeals.

We appointed counsel to represent defendant on appeal. Counsel filed a brief setting forth the facts of the case. Citing *People v. Wende* (1979) 25 Cal.3d 436, counsel requests the court to review the record in this case and determine whether there are any arguable issues on appeal. Counsel states

defendant was advised of the right to file a supplemental brief within 30 days of the filing of the opening brief. Since more than 30 days have elapsed from the filing of the opening brief and we have received no communication from defendant, we have undertaken an examination of the entire record in this case. We find no arguable error favorable to defendant.

DISPOSITION

The judgment is affirmed.

BLEASE, Acting P. J.

We concur:

NICHOLSON, J.

HULL, J.